UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/753,326	12/29/2000	Pankaj Kedia	42390P10227	1211

			EXAMINER	
7590	03/16/2006		CHEN, TSE W	

Stephen T. Neal
Blakely, Sokoloff, Taylor & Zafman LLP
Seventh Floor
12400 Wilshire Boulevard
Los Angeles, CA 90025-1030

ART UNIT	PAPER NUMBER
2116	

DATE MAILED: 03/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/753,326	KEDIA ET AL.
	Examiner	Art Unit	
	Tse Chen	2116	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>21 February 2006</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>29-56</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>29-56</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____.

       3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   It is hereby acknowledged that the following papers have been received and placed of

record in the file: Amendment dated February 21, 2006.

2.   Claims 29-56 are presented for examination.

3.   The rejections are respectfully maintained and reproduced infra for Applicant's

convenience.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

5.   Claims 29, 33-34, 36-38, 43, 45-51, 54-56 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Ditzik, US Patent 5983073, in view of Kim, US Patent 6044473.

6.   In re claim 29, Ditzik discloses a method comprising:

- Transitioning a CPU [38] of a computer system [100] into a power mode [80], the

    computer system having a memory [40] [col.9, l.55 – col. 10, l.10; col.13, ll.1-30;

    wireless data communication mode 80 operates with closed configuration].

- Activating a low power subsystem [14] when the CPU enters the power mode [80

    associated with closed configuration], the low power subsystem including a low power

    processor [inherently, some processor in the broadest interpretation is needed in order to

    process data communication], an external interface [inherently, some external interface in

    the broadest interpretation is needed in order to receive wireless communication] an a

low power memory [[inherently, some memory is needed in order to perform data communication] [col.8, ll.4-58; col.9, l.55 – col. 10, l.10; col.13, ll.1-30].

- Independent of the CPU, using the low power processor of the low power subsystem to access data contained within the computer system memory [col.8, ll.4-58; col.9, l.55 – col. 10, l.10; col.13, ll.1-30; user interacts with 14 independent of 38 to access data].

- Providing the accessed data through the external interface of the low-power subsystem [col.8, ll.4-58; col.9, l.55 – col. 10, l.10; col.13, ll.1-30].

7.   Ditzik did not disclose explicitly that the power mode associated with closed configuration is a low-power mode.

8.   Kim discloses transitioning a CPU of a computer system [portable notebook computer] into a low-power mode [sleep mode associated with CPU in closed configuration] [col.1, ll.23-41].

9.   It would have been obvious to one of ordinary skill in the art, having the teachings of Ditzik and Kim before him at the time the invention was made, to modify the computer system taught by Ditzik to include the very well known low-power mode taught by Kim, in order to obtain the claimed apparatus. One of ordinary skill in the art would have been motivated to make such a combination as it provides a way to reduce power consumption [Kim: col.1, ll.23-41; col.2, l.66 – col.3, l.3; computer system transitions CPU to sleep mode to reduce power consumption when in closed configuration since computer system functions are not being used].

10.   As to claim 33, Ditzik discloses, comprising accessing data from a network [external wide area communications network] via the external interface of the low-power subsystem [14] [col.5, ll.52-59].

11.   As to claim 34, Ditzik discloses, wherein accessing data from the network comprises

accessing data from the network using a wireless interface [e.g., cdma] [col.5, ll.52-59; col.8,

ll.4-58].

12.   As to claim 36, Ditzik discloses, wherein providing the accessed data through the

external interface comprises presenting the data accessed to a user via a display [fig.3c] of the

external interface of the low power subsystem [col.13, ll.24-30; display graphics].

13.   As to claim 37, Ditzik discloses, wherein providing the accessed data through the

external interface comprises presenting the data accessed to a user via an audio medium [14a] of

the external interface of the low-power subsystem [col.8, ll.4-58].

14.   In re claim 38, Ditzik discloses an apparatus [fig.3] comprising:

- A computer system [100] having a central processing unit [38], a system memory [40], a

  mass storage device [42], and a user interface [e.g., 9], the computer system having a

  power mode [80] [col.9, l.55 – col. 10, l.10; col.13, ll.1-30; wireless data communication

  mode 80 operates with closed configuration].

- A low-power subsystem [14] in operation when the computer system enters the power

  mode [14 operates in wireless data communication mode 80 in closed configuration], the

  low power subsystem having a low power processor [inherently, some processor in the

  broadest interpretation is needed in order to process data communication], a low power

  subsystem memory [inherently, some memory is needed in order to perform data

  communication] and an external interface independent of the computer system

  [inherently, some external interface in the broadest interpretation is needed in order to

  receive wireless communication], the low power processor providing access to the

computer system when the computer system is in the power mode [80 associated with

closed configuration] and the external interface providing data accessed from the

computer system externally [col.8, ll.4-58; col.9, l.55 – col. 10, l.10; col.13, ll.1-30].

15.   Ditzik did not disclose explicitly that the power mode associated with closed

configuration is a low-power mode.

16.   Kim discloses a computer system [portable notebook computer] having a low-power

mode [col.1, ll.23-41; low power consumption mode associated with closed configuration].

17.   It would have been obvious to one of ordinary skill in the art, having the teachings of

Ditzik and Kim before him at the time the invention was made, to modify the computer system

taught by Ditzik to include the very well known low-power mode taught by Kim, in order to

obtain the claimed apparatus. One of ordinary skill in the art would have been motivated to make

such a combination as it provides a way to reduce power consumption [Kim: col.1, ll.23-41;

col.2, l.66 – col.3, l.3; computer system transitions to low power mode to reduce power

consumption when in closed configuration since computer system functions associated with

display and keyboard can't be accessed by user].

18.   As to claim 43, Ditzik discloses, wherein the low power subsystem external interface

comprises a wireless interface [e.g., cdma] to connect with a local area network [col.5, ll.52-59;

col.8, ll.4-58].

19.   As to claim 45, Ditzik discloses, wherein the external interface of the low power

subsystem comprises a wireless interface [e.g., cdma] to receive verbal instructions from a user

interface [14c] [col.5, ll.52-59; col.8, ll.4-58].

20.   As to claim 46, Ditzik discloses, wherein the user interface comprises an audio headset

[earset unit 34] to receive audio data transmitted from the wireless interface [col.8, ll.4-58; 34

operates on cdma compatible with 14].

21.   As to claim 47, Ditzik discloses, wherein the low-power subsystem [14] external

interface comprises an interface [e.g., CDMA] to transmit data to a cellular phone [fig.7; col.5,

ll.52-59; col.12, ll.50-67; 14 transmits data to other cellular phones operating in CDMA].

22.   As to claim 48, Ditzik discloses, wherein the computer system comprises a main screen

[4] and the low power subsystem comprises a miniature display screen [fig.3c] and wherein the

low power subsystem including the miniature display screen is activated when the main screen is

closed [col.8, ll.4-58; col.9, l.55 – col. 10, l.10; col.13, ll.1-30].

23.   As to claim 49, Ditzik discloses, wherein the computer system comprises stored

multimedia data, wherein the low power subsystem accesses the stored multimedia data and

wherein the low power subsystem presents the multimedia data to a user through the external

interface [fig.3c] [col.13, ll.24-30; e.g., display graphics on screen].

24.   As to claim 50, Ditzik discloses, wherein the low power subsystem presents the

multimedia data to the user over a miniature display screen [fig.3c] of the external interface

[col.13, ll.24-30; display graphics on screen].

25.   In re claim 51, Ditzik discloses a low-power subsystem [14] comprising:

   • A miniature display screen [fig.3c].

   • A user input unit [14b].

   • A low power subsystem memory [col.8, ll.4-58; inherent to process data as data can't be

      stored in thin air].

- A low power processor [inherent for data communication] coupled to the miniature

  display screen [to display data], the user input unit [to process input], and to the low

  power subsystem memory [to process data], the low power processor providing access

  for the miniature display screen and the user input unit to a connected [via wireless]

  computer system [100] when the connected computer system is in a power mode [14

  operates in wireless data communication mode 80 in closed configuration] [col.8, ll.4-58;

  col.9, l.55 – col. 10, l.10; col.13, ll.1-30].

26.   Ditzik did not disclose explicitly that the power mode associated with closed

configuration is a low-power mode.

27.   Kim discloses a computer system [portable notebook computer] having a low-power

mode [col.1, ll.23-41; low power consumption mode associated with closed configuration].

28.   It would have been obvious to one of ordinary skill in the art, having the teachings of

Ditzik and Kim before him at the time the invention was made, to modify the computer system

taught by Ditzik to include the very well known low-power mode taught by Kim, in order to

obtain the claimed low power subsystem. One of ordinary skill in the art would have been

motivated to make such a combination as it provides a way to reduce power consumption [Kim:

col.1, ll.23-41; col.2, l.66 – col.3, l.3; computer system transitions to low power mode to reduce

power consumption when in closed configuration since computer system functions associated

with display and keyboard can't be accessed by user].

29.   As to claim 54, Ditzik discloses, comprising a wireless interface [e.g., cdma] to connect

to an external network [external wide area communications network] [col.5, ll.52-59; col.8, ll.4-

58].

30.   As to claim 55, Ditzik discloses, comprising a wireless interface [e.g., cdma] to connect the user input unit [of network] and the low power processor [col.12, ll.50-67; col.13, ll.20-30; bi directional communication from units of the network to 14].

31.   As to claim 56, Ditzik discloses, wherein the user input unit comprises a wireless user interface [e.g., cdma] to receive verbal commands from a user [via 14c] [col.5, ll.52-59; col.8, ll.4-58].

32.   Claims 30-32, 39-42, 44, 52-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ditzik and Kim as applied to claims 29, 38 and 51 above, and further in view of Kableshkov, US Patent 6108663.

33.   Ditzik and Kim taught each and every limitation as discussed above in reference to claims 29, 38 and 51. Ditzik and Kim did not discuss the details of accessing data.

34.   In re claim 30, Kabelshkov discloses a method wherein accessing data comprises accessing data through a shared database [relational database of 31] of a low power subsystem [30], the method further comprising storing at least a partial copy of data accessed from a computer system [10] memory [34] in the shared database [col.4, ll.36-61].

35.   In re claim 39, Kabelshkov discloses a shared database [relational database of 31] coupled to a computer system [10] and to a low-power subsystem [30] and wherein a low power processor [of 30] accesses the computer system through the shared database [col.4, ll.36-61].

36.   In re claim 52, Kabelshkov discloses, a processor [of 30] provides access to the computer system [10] through a shared database [relational database of 31], the shared database being a part of a low power subsystem [fig.2; col.4, ll.36-61].

37.   It would have been obvious to one of ordinary skill in the art, having the teachings of

Ditzik, Kim and Kabelshkov before him at the time the invention was made, to incorporate the

teachings of Kabelshkov as the shared database taught by Kabelshkov is well known to be

suitable for use in the system of Ditzik and Kim. One of ordinary skill in the art would have been

motivated to make such a combination as it provides an efficient way to access data

[Kabelshkov: col.4, ll.50-56].

38.   As to claim 31, Kabelshkov discloses, wherein accessing data contained within the

computer system memory comprises accessing data contained within a disk drive unit [34]

[col.4, ll.36-61].

39.   As to claims 32 and 42, Ditzik discloses, wherein the data contained in the shared

database includes multimedia data [col.1, ll.8-17].

40.   As to claim 40, Ditzik discloses, wherein the computer system memory comprises a

memory [40] coupled to the CPU, and wherein the computer system mass storage device

comprises a disk drive unit [42] coupled to the CPU [fig.7]. Examiner hereby takes Official

Notice that it is very well known in the art to have a RAM coupled to the CPU in order to read

and write data during processing.

41.   As to claim 41, Kabelshkov discloses wherein the shared database is coupled to the disk

drive unit [fig.2], the shared database to store at least a partial copy of data stored on the disk

drive unit [col.4, ll.36-61].

42.   As to claim 44, Ditzik discloses, wherein the low power subsystem comprises a video

display [fig.3c] to display data from a database [col.13, ll.24-30; display graphics].

43.   As to claim 53, Kabelshkov discloses wherein the shared database is coupled to the

computer system [fig.2] to store at least a partial copy of data stored in the computer system

[col.4, ll.36-61].

44.   Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ditzik and Kim

as applied to claims 33 above, and further in view of Chen et al., U.S. Patent 5590197,

hereinafter Chen.

45.   Ditzik and Kim disclose every limitation as discussed above in reference to claim 33.

Ditzik and Kim did not disclose explicitly the network being an electronic store.

46.   Chen discloses a network [fig.1] as an electronic store [merchant processor] allowing an

electronic purchase [col.4, ll.46-50].

47.   It would have been obvious to one of ordinary skill in the art, having the teachings of

Chen, Ditzik, and Kim before him at the time the invention was made, to modify the system as

taught by Ditzik and Kim to include the network as taught by Chen, in order to obtain an

electronic store allowing an electronic purchase. One of ordinary skill in the art would have been

motivated to make such a combination as it provides a way to extend the computer system's

capabilities [Ditzik: col.2, l.33 -- col.3, l.22].

Response to Arguments

48.   Applicant's arguments filed February 21, 2006 have been fully considered but they are

not persuasive.

49.   Applicant suggests "that there is no low-power mode in Ditzik of any kind". Examiner

points out that the rejection was based on a combination of Ditzik and Kim, with Kim being cited

to teach the low-power mode [sleep] associated with the CPU of a computer system [col.1, ll.23-41], as stipulated by the claims.

50.   Applicant alleges that there is "nothing in Ditzik to suggest a low-power subsystem as recited in the claims with a low power processor that acts independently of the CPU". Examiner disagrees and submits that Ditzik discloses a low power subsystem [14] with a low power processor that acts independently of the CPU [e.g., interface with user without CPU 38 to access data].

51.   Applicant alleges that Kim "does not have a low-power subsystem, nor a low-power processor that acts independently of the CPU". Examiner points out that the rejection was based on a combination of Ditzik and Kim, with Ditzik being cited with a low power subsystem [14] and a low power processor that acts independently of the CPU as discussed above.

52.   As such, Applicant's arguments are deemed not persuasive and the rejections are respectfully maintained.

Conclusion

53.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tse Chen whose telephone number is (571) 272-3672. The examiner can normally be reached on Monday - Friday 9AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne can be reached on (571) 272-3670. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tse Chen
March 8, 2006

LYNNE H. BROWNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100